

CALIFORNIA LEGISLATURE

AT SACRAMENTO

2015–16 REGULAR SESSION

**SENATE
FILE**

GOVERNOR’S VETOES

TUESDAY, OCTOBER 4, 2016

Compiled Under the Direction of

DANIEL ALVAREZ
Secretary of the Senate

By

JAMIE TAYLOR
Daily File Clerk

and

HOLLY HUMMELT
Daily File Clerk

(Please report any errors or omissions to Daily File Clerk: Phone 916–651–4171)

TABLE OF CONTENTS

VETOES

Governor’s Vetoes	4
-------------------------	---

GOVERNOR'S VETOES

1

S.B. No. 894— Jackson.

An act relating to firearms.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 894 without my signature.

This bill makes it an infraction (or a misdemeanor for the 3rd offense) to fail to report the theft, loss, or recovery of a lost or stolen firearm.

I vetoed similar measures in 2012 and 2013, because I did not believe that a measure of this type would help identify gun traffickers or enable law enforcement to disarm people prohibited from having guns.

I continue to believe that responsible people report the loss or theft of a firearm and irresponsible people do not; it is not likely that this bill would change that.

Sincerely,

Edmund G. Brown Jr.

2016

Jul. 1—Shall Senate Bill 894 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

2

S.B. No. 49— Runner.

An act relating to elections, and declaring the urgency thereof, to take effect immediately.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 49 without my signature.

When only one candidate qualifies for a special primary election ballot to fill a legislative vacancy, this bill permits a Governor to cancel the election and declare the candidate elected.

In the situation envisioned by this bill, potential write-in candidates would be excluded from participating in the election. This doesn't seem consistent with democratic principles that call for choice and robust debate.

Sincerely,

Edmund G. Brown Jr.

2016

Jul. 25—Shall Senate Bill 49 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

3

S.B. No. 896— Nguyen et al.

An act relating to professions and vocations.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 896 without my signature.

This bill requires a nail salon that accepts credit cards for nail care to also accept a credit card for the payment of tips.

I understand the author's intent to encourage the giving of tips to nail salon workers, but I don't believe that government should mandate the use of credit cards as required by this bill. In matters like this, the competitive marketplace should be sufficient.

I would also note that this bill lacks any enforcement mechanism.
Sincerely,

Edmund G. Brown Jr.

2016

Aug. 29—Shall Senate Bill 896 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

4

S.B. No. 1257— Block.

An act relating to the State Bar Act.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1257 without my signature.

This bill requires an applicant for membership in the State Bar to complete at least fifty hours of supervised pro bono legal service. It also requires that a practicing lawyer or law professor supervise the student.

I certainly support law students and lawyers providing pro bono legal services. Some law schools already promote volunteerism and pro bono service in various ways and many employers also require a certain amount of pro bono hours for associates and clerks. While I commend the author for his desire to further these efforts, I don't believe a state mandate can be justified.

Law students in California are now contending with skyrocketing costs—often more than \$200,000 for tuition and room and board—and many struggle to find employment once they are admitted to the Bar. In this context, I believe it would be unfair to burden students with the requirements set forth in this bill.

Instead, we should focus on lowering the cost of legal education and devising alternative and less expensive ways to qualify for the Bar Exam. By doing so, we could actually expand the opportunity to serve the public interest.

Sincerely,

Edmund G. Brown Jr.

2016

Aug. 29—Shall Senate Bill 1257 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

5

S.B. No. 898— Nguyen et al.

An act relating to taxation, to take effect immediately, tax levy.

Vote required: 27

To the Members of the California State Senate:

I am returning the following seven bills without my signature:

Assembly Bill 717

Assembly Bill 724

Assembly Bill 1561

Assembly Bill 2127

Assembly Bill 2728

Senate Bill 898

Senate Bill 907

Each of these bills creates a new tax break or expands an existing tax break. In total, these bills would reduce revenues by about \$300 million through 2017–18.

As I said last year, tax breaks are the same as new spending -- they both cost the General Fund money. As such, they must be considered during budget deliberations so that all spending proposals are weighed against each other at the same time. This is even more important when the state's budget remains precariously balanced.

Therefore, I cannot sign these measures.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 13—Shall Senate Bill 898 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

6

S.B. No. 907— Galgiani et al.

An act relating to taxation, and declaring the urgency thereof, to take effect immediately.

Vote required: 27

To the Members of the California State Senate:

I am returning the following seven bills without my signature:

Assembly Bill 717
Assembly Bill 724
Assembly Bill 1561
Assembly Bill 2127
Assembly Bill 2728
Senate Bill 898
Senate Bill 907

Each of these bills creates a new tax break or expands an existing tax break. In total, these bills would reduce revenues by about \$300 million through 2017–18.

As I said last year, tax breaks are the same as new spending -- they both cost the General Fund money. As such, they must be considered during budget deliberations so that all spending proposals are weighed against each other at the same time. This is even more important when the state's budget remains precariously balanced.

Therefore, I cannot sign these measures.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 13—Shall Senate Bill 907 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

7

S.B. No. 1162— Berryhill.

An act relating to public retirement.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1162 without my signature.

This bill allows the Mammoth Lake Fire District to request that the California Public Employees' Retirement System Board transfer assets from the District's superfunded miscellaneous employee plan to its safety employee plan in order to pay for unfunded liabilities in the safety plan.

Inherent in the nature of our pension systems is that each employee plan be funded separately and expend its funds only for the benefit of specific beneficiaries. This bill would upend this longstanding practice and set a harmful precedent by allowing the transfer of assets from one employee group to another.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 16—Shall Senate Bill 1162 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

8

S.B. No. 547— Liu et al.
An act relating to aging.
Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 547 without my signature.

This bill establishes the Statewide Aging and Long-Term Care Services Coordinating Council and requires it to develop a strategic plan that addresses California's aging population.

These are important issues, but I'm not convinced that creating such an unwieldy state council would advance the goals we both share.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 22—Shall Senate Bill 547 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

9

S.B. No. 692—Vidak.

An act relating to gambling.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 692 without my signature.

This bill prohibits all employees of the California Gambling Control Commission and the Department of Justice from holding employment with a gambling enterprise for a period of two years after leaving state service.

This bill is overly broad. It applies to all 4,800 employees of the Department of Justice, regardless of whether they have any responsibilities related to gambling activities. A more targeted bill would be in order.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 23—Shall Senate Bill 692 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

10

S.B. No. 817— Roth et al.

An act relating to local government finance.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 817 without my signature.

This bill allows four cities that incorporated after January 1, 2004 and before January 1, 2012 to receive additional property tax revenue through a redistribution of Vehicle License Fee revenue.

Last year, in recognition of the fiscal challenges these four cities confront, I signed SB 107 which provided them approximately \$24 million dollars. While I commend Senator Roth's tireless commitment to assist the cities, this bill requires the state to make additional and long term General Fund spending commitments. As such, this proposal must be considered in light of other budget priorities during upcoming budget deliberations.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 23—Shall Senate Bill 817 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

11

S.B. No. 900— Jackson et al.
An act relating to state lands.
Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 900 without my signature.

This bill would transfer \$500,000 from the General Fund to the Land Bank Fund and would require additional transfer of funds that would be available upon appropriation for coastal hazard removal and remediation.

I am directing the Department of Conservation to work with the State Lands Commission to develop an inventory of legacy oil and gas wells and other hazards along the California coastline to determine the oil seepage locations, rates and environmental impacts.

Having this information will better inform what remedial actions might be warranted for both the short and long-term, and appropriate ways of funding the needed actions.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 23—Shall Senate Bill 900 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

12

S.B. No. 1328—Lara.

An act relating to water.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1328 without my signature.

This bill creates a new Greenhouse Gas Reduction Fund program for stormwater projects.

Rather than creating a potentially duplicative program, I am directing the Resources Agency to work with the State Water Resources Control Board to ensure that stormwater projects are included in the Urban Greening Program.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 24—Shall Senate Bill 1328 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

13

S.B. No. 1340— Wolk.

An act relating to water conservation.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1340 without my signature.

This bill requires a local permit for installation of large stand-alone landscaping irrigation systems.

The existing Model Water Efficient Landscape Ordinance program offers local governments a multitude of options to address water conservation in irrigated landscapes.

I have asked the Department of Water Resources and the State Water Resources Control Board to develop a permanent framework for water use reduction targets. This type of landscape permit will be considered in that framework.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 24—Shall Senate Bill 1340 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

14

S.B. No. 1451—Mendoza et al.

An act relating to the State Compensation Insurance Fund.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1451 without my signature.

This bill grants the State Compensation Insurance Fund Board authority to appoint and set the salary for up to eight additional senior management positions.

Under limited circumstances it has been necessary for state agencies to have salary setting authority for certain positions. I'm not convinced this authority is justified in this instance.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 24—Shall Senate Bill 1451 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

15

S.B. No. 1463— Moorlach et al.
An act relating to electrical lines.
Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1463 without my signature.

This bill requires the Public Utilities Commission to prioritize areas that have increased fire hazard associated with overhead utility facilities.

Since May of last year, the Commission and CalFire have been doing just that through the existing proceeding on fire-threat maps and fire-safety regulations. This deliberative process should continue and the issues this bill seeks to address should be raised in that forum.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 24—Shall Senate Bill 1463 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

16

S.B. No. 950—Nielsen.

An act relating to state employees.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 950 without my signature.

This bill adds arbitration to the existing four step grievance process for state supervisors.

Expanding the grievance process for the state's managers to include legally binding arbitration will reduce departments' ability to effectively manage state operations and will result in significant unbudgeted state costs.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 25—Shall Senate Bill 950 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

17

S.B. No. 1078— Jackson.

An act relating to arbitration.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1078 without my signature.

This bill prohibits an arbitrator from accepting an offer of employment in a future case involving a party or lawyer in a pending arbitration, without prior written consent. The bill also adds prohibitions and disclosure requirements relating to certain solicitations made by private arbitration companies.

Arbitrators in California are already subject to stringent disclosure requirements under existing state law and Judicial Council standards. I am reluctant to add additional disclosure rules and further prohibitions without evidence of a problem. Further, the existing Judicial Council procedure for amending arbitrator ethics standards is a deliberative and public process that can more appropriately consider additional requirements.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 25—Shall Senate Bill 1078 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

18

S.B. No. 1176— Galgiani et al.

An act relating to public contracts.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bills 1176 & 1219 without my signature.

SB 1176 revises the definition of “small business” and “microbusiness” for purposes of the Small Business Procurement and Contract Act. SB 1219 establishes a new procurement preference for employment social enterprises.

While the goal of these bills are well-intentioned, the implementation of these bills require an expensive modification to FISCAL at a time when the state must focus its resources on the project’s successful deployment.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 25—Shall Senate Bill 1176 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

19

S.B. No. 1219— Hancock et al.

An act relating to state contracting.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bills 1176 & 1219 without my signature.

SB 1176 revises the definition of “small business” and “microbusiness” for purposes of the Small Business Procurement and Contract Act. SB 1219 establishes a new procurement preference for employment social enterprises.

While the goal of these bills are well-intentioned, the implementation of these bills require an expensive modification to FISCAL at a time when the state must focus its resources on the project’s successful deployment.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 25—Shall Senate Bill 1219 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

20

S.B. No. 1385—Leyva et al.

An act relating to emergency assistance.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1385 without my signature.

This bill requires the state to fund 100 percent of the eligible local emergency recovery costs related to the San Bernardino terrorist shooting in December 2015.

I recognize the unique circumstances of this horrific terrorist attack. However, this bill sets the expectation that the state will assume all financial responsibility for future emergency costs. The General Fund cannot afford this precedent.

The Office of Emergency Services will continue to work with the local agencies in San Bernardino to ensure that all eligible costs are reimbursed through the California Disaster Assistance Act.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 25—Shall Senate Bill 1385 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

21

S.B. No. 1332— Mendoza.

An act relating to firearms.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1332 without my signature.

This bill provides for the joint registration of firearms between spouses and domestic partners and modifies existing firearm loan provisions.

This bill creates millions of dollars in new and ongoing costs for the Department of Justice. The Department is already tasked with enforcing the many existing requirements of California firearms law. I do not believe that this additional burden and cost comes with a commensurate public safety benefit.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 26—Shall Senate Bill 1332 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

22

S.B. No. 1090— Mitchell et al.

An act relating to sexually transmitted diseases.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1090 without my signature.

This bill requires the Department of Public Health to allocate funds to local health agencies for sexually transmitted disease outreach and screening if there is an appropriation for this purpose in the budget.

The 2016–17 enacted budget provides \$5 million in grants to local health agencies working to prevent and control sexually transmitted diseases. While I appreciate the author's commitment to this important public health issue, additional funding depends upon future budget deliberations and decisions. Prescribing the direction and use of future investments in this program is premature.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 26—Shall Senate Bill 1090 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

23

S.B. No. 1304— Huff et al.

An act relating to taxation, and declaring the urgency thereof, to take effect immediately.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1304 without my signature.

This bill allows for retroactive property tax assessments for those affected by the Porter Ranch gas leak and expands the basis for future tax relief in similar circumstances.

Under existing law, the county assessor can already reduce the assessed value of homes to reflect changed market conditions. I think that should be sufficient.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 26—Shall Senate Bill 1304 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

24

S.B. No. 1040— Hill et al.

An act relating to children.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1040 without my signature.

This bill requires the Department of Social Services to convene a work group to review challenges faced by families with children adopted from the foster care system, children adopted with special needs, or internationally adopted children.

The intent of this bill is to prevent the transfer of these children from one home to another outside of the adoption process. Rather than establishing another work group, I believe that these issues should be handled by the Department of Social Services in the normal course of its work on adoptions with counties, adoption agencies and interested stakeholders.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 27—Shall Senate Bill 1040 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

25

S.B. No. 1157— Mitchell et al.

An act relating to incarcerated persons.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1157 without my signature.

This bill would prohibit the exclusive use of video visitation at local correctional facilities.

This bill as drafted does not provide adequate flexibility and creates a strict mandate.

Nevertheless, I am concerned about the recent trend of making jail facilities unavailable for in-person visits. This practice could have an adverse impact on achieving rehabilitative goals and might affect in a negative way the families and loved ones of those incarcerated.

I am directing the Board of State and Community Corrections to work with stakeholders to explore ways to address these issues.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 27—Shall Senate Bill 1157 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

26

S.B. No. 1300— Hernandez et al.

An act relating to Medi-Cal, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1300 without my signature.

This bill creates a new ambulance quality assurance fee to be collected by the Department of Health Care Services. This fee would be used to claim additional federal funding necessary to increase Medi-Cal reimbursements for ambulance services.

I support establishing a quality assurance fee to bring in additional federal funding to support emergency transportation services. However, the structure of the rate increase in this bill is unlike any other fee structure supported by health care related quality assurance fees. I am concerned this structure puts the state general fund at risk for paying the increased rate if the revenue falls short or if the fee is reduced or removed in the future.

I urge the Legislature and ambulance providers to work with the Departments of Health Care Services and Finance to restructure this fee in a way that protects the general fund and allows for an increase in reimbursement for emergency transportation services.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 27—Shall Senate Bill 1300 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

27

S.B. No. 959—Lara et al.

An act relating to public contracts.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 959 without my signature.

This bill seeks to bring wage and benefit parity to the University of California's contracted workers in specific job categories, such as custodial, clerical and food services, and other services associated with the University's medical enterprises.

Earlier this year, the author requested and the Legislature approved a specific state audit of UC contracting practices and contracted employees. As has been the case with prior audits, this process will likely yield some number of recommendations for change, and it would be prudent to await the recommendations from the State Auditor before embarking on the path prescribed by this bill.

While this audit is pending, I would strongly caution the University to keep its spending in check, specifically as it relates to the compensation of its highest wage earners—many of whom already make hundreds of thousands of dollars more in salary and benefits than the average UC employee or its contracted workers in the aforementioned job categories.

Continuing to enrich the highest paid workers—and they are workers for the public good—will only undermine UC's essential argument that it can't afford parity policies such as the one contemplated in this bill.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 28—Shall Senate Bill 959 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

28

S.B. No. 1113— Beall.

An act relating to pupil health.

Vote required: 27

To Members of the California State Senate:

I am returning the following four bills without my signature:

Assembly Bill 1198

Assembly Bill 1783

Assembly Bill 2182

Senate Bill 1113

Each of these bills creates unfunded new programs.

Despite significant funding increases for local educational agencies over the past few years, the Local Control Funding Formula remains only 96 percent funded. Given the precarious balance of the state budget, establishing new programs with the expectation of funding in the future is counterproductive to the Administration's efforts to sustain a balanced budget and to fully fund the Local Control Funding Formula.

Additional spending to support new programs must be considered in the annual budget process.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 28—Shall Senate Bill 1113 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

29

S.B. No. 1132— Galgiani.

An act relating to professions and vocations.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1132 without my signature.

This bill would allow a person to use the title architect-in-training if, they have earned a high school diploma and are enrolled in the National Council of Architectural Registration Board's Experience Program.

In May 2015, this very same Board discouraged the use of any title that implied a person was an architect, stating "architects are those who have met all the requirements to become licensed... everyone else is not an architect." I agree with this assessment.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 28—Shall Senate Bill 1132 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

30

S.B. No. 1289—Lara.

An act relating to immigration.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1289 without my signature.

This bill prohibits local governments from contracting with for-profit entities to detain immigrants on behalf of federal immigration authorities and requires that local detention facilities that house immigrant detainees adhere to the most recent federal standards.

I have been troubled by recent reports detailing unsatisfactory conditions and limited access to counsel in private immigration detention facilities. The Department of Homeland Security, however, is now considering whether private contracting should continue for immigrant detention, and if so under what conditions. Their recommendations are expected in November.

These actions indicate that a more permanent solution to this issue may be at hand. I urge the federal authorities to act swiftly.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 28—Shall Senate Bill 1289 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

31

S.B. No. 1333— Block et al.

An act relating to state beaches and parks.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1333 without my signature.

This bill bans smoking at state beaches and parks. The complete prohibition in all parks and beaches is too broad. A more measured - and less punitive - approach might be warranted.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 28—Shall Senate Bill 1333 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

32

S.B. No. 1466— Mitchell.

An act relating to Medi-Cal.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1466 without my signature.

This bill establishes a new trauma screening entitlement for every child on Medi-Cal.

Medi-Cal has grown from 8 million to 14 million beneficiaries since our implementation of the federal Affordable Care Act and provides coverage for over 5 million children. Given this dramatic expansion, I am reluctant to create another entitlement as required by this bill.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 28—Shall Senate Bill 1466 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

33

S.B. No. 123— Liu et al.

An act relating to Medi-Cal.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 123 without my signature.

This bill establishes a work group jointly administered by the Departments of Health Care Services and Education to recommend changes to school-based Medi-Cal programs.

There is an advisory committee within the Department of Health Care Services whose very purpose is to continuously review and recommend improvements to these programs. Collaboration among the health and education departments and local education groups is very important, but the existing advisory committee is working well and certainly up to the task. Codification in this case is not needed.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 29—Shall Senate Bill 123 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

34

S.B. No. 253— Monning et al.
An act relating to juveniles.
Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 253 without my signature.

This bill adds more requirements for juvenile court authorization and oversight of psychotropic medications for children in the child welfare and probation systems.

Last year, I signed a bill that required the Judicial Council, working with stakeholders, to amend and adopt rules of court and forms to help judges determine whether to authorize the use of psychotropic medications. These new rules and forms took effect July 1, 2016, and require significantly more information to be submitted to the court. Until we know the impact of these changes, it is premature to legislate additional measures.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 29—Shall Senate Bill 253 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

35

S.B. No. 526— Fuller et al.

An act relating to taxation.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 526 without my signature.

This bill allows a court, in a proceeding for the dissolution of marriage, to assign complete income tax liability to one party.

I am concerned this bill goes too far by changing the long-standing policy of joint and several liability, which holds that two married persons are responsible for the full tax in a given year and that each spouse is responsible for the tax liability on whatever income he or she individually earns.

Under existing law, an unknowing spouse can already be granted relief from tax liability if the other spouse failed to report income, reported income improperly, or claimed improper deductions or credit. I think that is sufficient.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 29—Shall Senate Bill 526 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

36

S.B. No. 739— Pavley.

An act relating to charter schools.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 739 without my signature.

This bill would prohibit a school district that has a negative budget certification from authorizing a charter school to operate outside of their attendance boundaries.

This bill attempts to address an issue, currently being reviewed by the State Auditor, whereby school districts authorize multiple charter schools outside of district boundaries to collect oversight fees.

Let's review the audit when it's released next spring to better determine the scope of the issue and what, if any, policy changes are necessary.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 29—Shall Senate Bill 739 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

37

S.B. No. 919— Hertzberg et al.

An act relating to water supply.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 919 without my signature.

This bill would require the California Public Utilities Commission to create special tariffs or other economic incentives for facilities that create or augment local water supplies, including water desalination and water recycling facilities.

Reducing electricity costs for water supply facilities can be accomplished in a variety of ways, including time of use rates and demand response. This bill mandates one approach that does not fit all.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 29—Shall Senate Bill 919 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

38

S.B. No. 1094— Hernandez et al.
An act relating to elections.
Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1094 without my signature.

This bill requires that at least five percent of the signatures collected on state initiative petitions be obtained by volunteer circulators.

This bill is virtually identical to AB 857, which I vetoed in 2013. Lowering the percentage from 10 percent to 5 percent does not change my view that this measure will not keep out special interests or favor volunteer signature gathering.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 29—Shall Senate Bill 1094 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

39

S.B. No. 1288— Leno et al.

An act relating to elections.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1288 without my signature.

This bill authorizes local governments to conduct a local election using ranked choice voting.

In a time when we want to encourage more voter participation, we need to keep voting simple. Ranked choice voting is overly complicated and confusing. I believe it deprives voters of genuinely informed choice.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 29—Shall Senate Bill 1288 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

40

S.B. No. 554— Wolk.

An act relating to water.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 554 without my signature.

A number of efforts are underway to determine the levee protection needs in the Delta. The Delta Stewardship Council is currently in the middle of identifying state priorities for levee investments in the Delta, and the Department of Water Resources has been working with the Delta Protection Commission evaluating new financing mechanisms.

The existing 75 percent state cost share does not sunset until July 2018, and as such, consideration of this bill is premature.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 30—Shall Senate Bill 554 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

41

S.B. No. 648—Mendoza et al.

An act relating to health and care facilities.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 648 without my signature.

This bill creates an expansive and costly licensing scheme for agencies that make referrals to residential care facilities for the elderly.

The proponents of this measure have not made a convincing case for this new licensing structure.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 30—Shall Senate Bill 648 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

42

S.B. No. 778— Allen.

An act relating to professions and vocations.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 778 without my signature.

This bill creates a new registration category for oil change stations under the Bureau of Automotive Repair.

I believe that, before a new registration program is enacted, a more comprehensive review is needed. AB 873, which I signed, provides just that process.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 30—Shall Senate Bill 778 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

43

S.B. No. 1188— McGuire et al.

An act relating to fish and wildlife.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1188 without my signature.

The Department of Fish and Wildlife's wildlife areas are a vast network of public lands that provide hunting, fishing and refuge for wildlife. Payments in lieu of taxes keep rural counties whole so that the Department can maintain and acquire wildlife areas for the public's benefit.

Last year, after twelve years of departure, I included these payments as part of the State's base budget, and I will continue to do so.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 30—Shall Senate Bill 1188 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

44

S.B. No. 654— Jackson et al.

An act relating to employment.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 654 without my signature.

This bill establishes an unpaid, job protected parental leave requirement that applies to businesses with 20 or more employees and allows workers to take up to 6 weeks of parental leave to bond with a new child.

It goes without saying that allowing new parents to bond with a child is very important and the state has a number of paid and unpaid benefit programs to provide for that leave. I am concerned, however, about the impact of this leave particularly on small businesses and the potential liability that could result. As I understand, an amendment was offered that would allow an employee and employer to pursue mediation prior to a lawsuit being brought. I believe this is a viable option that should be explored by the author.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 30—Shall Senate Bill 654 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

45

S.B. No. 897— Roth et al.

An act relating to workers' compensation.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 897 without my signature.

This bill doubles from one to two years special leave benefits for police officers, firefighters, or sheriffs who are disabled by a qualifying catastrophic injury. This leave is required to be provided at full salary and tax-free, resulting in take home pay that is higher than pre-injury wages.

I was concerned when told this bill was prompted by a City of Riverside police officer who nearly lost his health benefits while on temporary disability. In that case, the City chose to extend the officer's benefits. Upon closer review, I have not found any other city which terminates the health benefits of police officers while they are on temporary disability.

As noted in my veto of AB 1451 last year, this disability leave benefit drives up costs significantly. Many local agencies are under significant financial stress. They must consider employee benefit increases in light of competing demands for critical services and long term pension and health care debts.

In light of all this, I believe the decision on how to handle cases such as this is best left to the local jurisdiction.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 30—Shall Senate Bill 897 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

46

S.B. No. 1052—Lara et al.
An act relating to juveniles.
Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1052 without my signature.

This bill would require -- in almost all cases -- that a youth under 18 must consult an attorney before a custodial interrogation begins.

This bill presents profoundly important questions involving the constitutional right not to incriminate oneself and the ability of the police to interrogate juveniles. Ever since 1966, the rule has been that interrogations of criminal suspects be preceded by the Miranda warning of the right to remain silent and the right to have an attorney.

In more cases than not, both adult and juvenile suspects waive these rights and go on to answer an investigator's questions. Courts uphold these "waivers" of rights as long as the waiver is knowing and voluntary. It is rare for a court to invalidate such a waiver.

Recent studies, however, argue that juveniles are more vulnerable than adults and easily succumb to police pressure to talk instead of remaining silent. Other studies show a much higher percentage of false confessions in the case of juveniles.

On the other hand, in countless cases, police investigators solve very serious crimes through questioning and the resulting admissions or statements that follow.

These competing realities raise difficult and troubling issues and that is why I have consulted widely to gain a better understanding of what is at stake. I have spoken to juvenile judges, police investigators, public defenders, prosecutors and the proponents of this bill. I have also read several research studies cited by the proponents and the most recent cases dealing with juvenile confessions.

After carefully considering all the above, I am not prepared to put into law SB 1052's categorical requirement that juveniles consult an attorney before waiving their Miranda rights. Frankly, we need a much fuller understanding of the ramifications of this measure.

In the coming year, I will work with proponents, law enforcement and other interested parties to fashion reforms that protect public safety and constitutional rights. There is much to be done.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 30—Shall Senate Bill 1052 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

SENATE SUPPLEMENTAL FILE
GOVERNOR'S VETOES—Continued

47

S.B. No. 1088— Nguyen et al.

An act relating to wrongful concealment.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1088 without my signature.

This bill states that a criminal complaint may be filed within one year after an individual is identified by law enforcement as a suspect in the concealment of an accidental death.

Such identification could take place years or even decades later. I believe that the statute of limitations for most crimes, especially misdemeanors, should have a defined limit. Allowing the statute to commence when a suspect has been identified, with no other parameters, serves to undermine the very purpose of a limitations period.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 30—Shall Senate Bill 1088 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)

GOVERNOR'S VETOES—Continued

48

S.B. No. 1439— Block et al.

An act relating to postsecondary education.

Vote required: 27

To the Members of the California State Senate:

I am returning Senate Bill 1439 without my signature.

Under the bill, public postsecondary governing boards must require qualified applicants seeking an academic or administrative appointment to disclose prior adverse judgements of sexual harassment during the hiring process.

While I understand the desire to mitigate risk, governing boards—who are the fiduciaries of these institutions—should be responsible for setting hiring standards, including the disclosure of prior bad conduct.

Sincerely,

Edmund G. Brown Jr.

2016

Sep. 30—Shall Senate Bill 1439 become a law notwithstanding the objections of the Governor? (Must be considered pursuant to Joint Rule 58.5.)